

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KYLE GRANT, individually and on behalf of
other persons similarly situated who were
employed by WARNER MUSIC GROUP
CORP. and ATLANTIC RECORDING
CORPORATION,

Plaintiff,

Case No. 13-cv-4449 (PGG)

-against-

WARNER MUSIC GROUP CORP. and
ATLANTIC RECORDING CORPORATION,

Defendants.

DECLARATION OF LYLE S. ZUCKERMAN

I, LYLE S. ZUCKERMAN, STATE AS FOLLOWS:

1. I am a shareholder in the firm of Vedder Price P.C., attorneys for defendants Warner Music Group Corp. and Atlantic Recording Corporation (“Defendants”). I am familiar with all the facts and circumstances set forth in this Declaration. I make this Declaration in order to introduce certain documents referenced in the accompanying Memorandum of Law.

2. On November 26, 2013, counsel for the plaintiffs in this action sent to counsel for Defendants a proposed draft Civil Case Management Plan and Scheduling Order (“Draft CMP”). Attached as Exhibit A hereto is the Draft CMP and accompanying e-mail.

3. Attached as Exhibit B hereto is the Civil Case Management Plan filed as Docket # 19-1 in the matter captioned *Ojeda v. Viacom Inc.*, No. 13-5658 (S.D.N.Y.).

4. Attached as Exhibit C hereto are docket entries 21 and 22 in the *Ojeda* matter.

5. Attached as Exhibit D hereto is docket entry 23 in the *Ojeda* matter.

6. Attached as Exhibit E hereto is docket entry 25 in the *Ojeda* matter.

7. Attached as Exhibit F hereto is the April 3, 2014 Memorandum Opinion denying the plaintiff's untimely request to demand a jury filed as Docket # 41 in the *Ojeda* matter.

8. A review of the PACER Electronic Court Filing system indicates that Plaintiff's counsel has commenced approximately 37 collective actions under the FLSA in the Eastern and Southern Districts of New York since January 2013, six of which included a jury demand on behalf of the plaintiff.

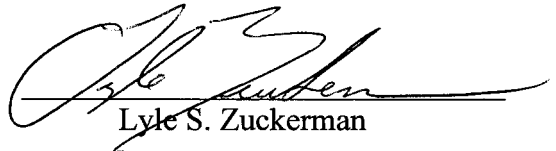
9. Attached as Exhibit G hereto are docket entries 1 and 24 in the matter captioned *Sandoval v. Galaxy Gen. Contracting Corp. et al.*, No. 10 Civ. 5771 (S.D.N.Y.).

10. On April 23, 2014, counsel for the parties participated in a telephonic conference concerning a number of issues, including consolidation of this matter with *Henry v. Warner Music Group Corp.*, No. 13 Civ. 5031. During that call, counsel for Defendants expressly rejected the proposal to consolidate this action with the *Henry* action for all purposes, including trial.

* * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
May 1, 2014


Lyle S. Zuckerman